

United States District Court**for the****Eastern District of Washington**FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Oct 03, 2022**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: John Ronald Richmond Case Number: 0980 2:17CR00091-LRS-1

Address of Offender: [REDACTED] Post Falls, Idaho 83854

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: March 14, 2018

Original Offense: Distribution of 50 Grams or More of a Mixture or Substance Containing a Detectable Amount of Methamphetamine, 21 U.S.C. § 841(a)(1), (b)(1)(b)(viii)

Original Sentence: Prison - 72 months Type of Supervision: Supervised Release
TSR - 60 months

Asst. U.S. Attorney: Timothy John Ohms Date Supervision Commenced: May 13, 2022

Defense Attorney: Federal Defender's Office Date Supervision Expires: May 12, 2027

PETITIONING THE COURT

To issue a warrant and to incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on 09/08/2022.

On May 17, 2022, an officer with the U.S. Probation Office in Spokane, Washington, reviewed a copy of the conditions of supervision with Mr. Richmond, as outlined in the judgement and sentence. He signed a copy acknowledging the requirements.

The probation officer believes that the offender has violated the following conditions of supervision:

| <u>Violation Number</u> | <u>Nature of Noncompliance</u> |
|-------------------------|---|
| 10 | <p><u>Special Condition #5:</u> You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.</p> <p><u>Supporting Evidence:</u> On August 18, 19, 23, 26, and 29, 2022, John Richmond allegedly violated special condition number 5, by failing to participate in his substance abuse treatment program as required.</p> <p>On September 6, 2022, this officer received the offender's monthly treatment report from Spokane Addiction Recovery Center (SPARC) for the month of August 2022. According to SPARC, Mr. Richmond was noted as being "noncompliant" for failing to attend five treatment sessions during the month. According to the information received, the offender did not attend his group treatment sessions on August 18 and 19, 2022.</p> |

Prob12C

Re: Richmond, John Ronald

October 3, 2022

Page 2

On August 23, 2022, the offender “cancelled group due to transportation issues.” On August 26, 2022, Mr. Richmond left group early and subsequently did not get credit, and on August 29, 2022, he failed to report for his group treatment session.

- 11 **Special Condition #6:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On or about September 1, 2022, John Richmond allegedly violated special condition number 6, by consuming methamphetamine.

On September 6, 2022, the offender reported to the U.S. Probation Office, as instructed by the undersigned officer, and was subject to random urinalysis testing. Mr. Richmond provided a urine sample that was presumptive positive for methamphetamine, although he denied the use of any illicit substances.

On September 7, 2022, this officer contacted the offender to discuss his presumptive positive urine sample on September 6, 2022. As he had the day prior, Mr. Richmond insisted he had not consumed any drugs, but advised he had been around people at the lake who had been smoking marijuana and “probably smoking other stuff too.” When the undersigned began to question how his urine would test positive for methamphetamine if the people around him at the lake were smoking marijuana. The offender ultimately admitted to the use of methamphetamine on or about September 1, 2022.

On September 13, 2022, Mr. Richmond reported to the U.S. Probation Office and signed an admission of use form confirming his use of methamphetamine use on or about September 1, 2022.

- 12 **Standard Condition #2:** After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.

Supporting Evidence: On September 27, 2022, John Richmond allegedly violated standard condition number 2, by failing to report as instructed.

On September 13, 2022, after he admitted to the use of methamphetamine, Mr. Richmond was instructed to check-in with this officer on a weekly basis moving forward in order to monitor his sobriety and treatment engagement.

On September 20, 2022, the offender did check-in with the undersigned as instructed, but on September 27, 2022, he failed to check-in as required. Subsequent attempts to contact the offender, on September 30 and October 2, 2022, were not answered or responded to until the morning of October 3, 2022.

- 13 **Special Condition #6:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Prob12C

Re: Richmond, John Ronald**October 3, 2022****Page 3**

Supporting Evidence: On or about September 29, 2022, John Richmond allegedly violated special condition number 6, by consuming methamphetamine.

On October 3, 2022, the offender reported to the U.S. Probation Office, as instructed by the undersigned officer. The offender was notified he would be subject to random urinalysis testing, and when the undersigned asked if he would test positive for any illicit substances, Mr. Richmond was unsure. He subsequently admitted to the use of methamphetamine on or about September 29, 2022, and he signed an admission of use confirming that use. He further acknowledged he did not notify his treatment provider of the new use.

It should be noted that this officer began attempting to contact the offender on September 30, 2022, but he did not answer or respond to the undersigned until October 3, 2022.

The U.S. Probation Office respectfully recommends the Court **issue a warrant** and incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

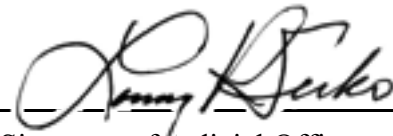
Executed on: 10/03/2022

s/Amber M.K. Andrade

Amber M.K. Andrade
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

October 3, 2022

Date